

J1135 U.S. PTO  
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PTO/SB/05 (4/98)  
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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))</small>	Attorney Docket No.	78972.0023
	First Inventor or Application Identifier	Philip C. WARD et al.
	Title	CONFECTIONERY PRODUCTS, LOW FAT CHOCOLATE AND ..
	Express Mail Label No.	

<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents.</small>	<b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
<b>1.</b> <input type="checkbox"/> * Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original and a duplicate for fee processing)</small>	
<b>2.</b> <input checked="" type="checkbox"/> Specification [Total Pages <b>31</b> ] <small>(preferred arrangement set forth below)</small> <ul style="list-style-type: none"><li>- Descriptive title of the Invention</li><li>- Cross References to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to Microfiche Appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul>	
<b>3.</b> <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <input type="checkbox"/> ]	
<b>4.</b> Oath or Declaration [Total Pages <input ]<ul="" type="checkbox"/> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) <small>(for continuation/divisional with Box 16 completed)</small><ul style="list-style-type: none"><li>i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).</li></ul></li>	
<b>5.</b> <input type="checkbox"/> Microfiche Computer Program (Appendix)	
<b>6.</b> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none"><li>a. <input type="checkbox"/> Computer Readable Copy</li><li>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</li><li>c. <input type="checkbox"/> Statement verifying identity of above copies</li></ul>	
<b>ACCOMPANYING APPLICATION PARTS</b>	
<b>7.</b> <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	
<b>8.</b> <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement of Power of Attorney (when there is an assignee) <input type="checkbox"/>	
<b>9.</b> <input type="checkbox"/> English Translation Document (if applicable)	
<b>10.</b> <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations	
<b>11.</b> <input type="checkbox"/> Preliminary Amendment	
<b>12.</b> <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small>	
<b>13.</b> <input type="checkbox"/> * Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, Status still proper and desired (PTO/SB/09-12)	
<b>14.</b> <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	
<b>15.</b> <input checked="" type="checkbox"/> Other: <u>Non-Publication Request</u>	

**\* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).**

**16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:**  
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_  
Prior application information: Examiner \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_  
**For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

<b>17. CORRESPONDENCE ADDRESS</b>					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label <b>29693</b> or <input checked="" type="checkbox"/> Correspondence address below <small>(Insert Customer No. or Attach bar code label here)</small>					
Name	David J. Kulik, Esq.				
Address	Intellectual Property Department				
	Wiley Rein & Fielding, LLP				
	1776 K Street, NW				
City	Washington	State	DC	Zip Code	20006
Country	USA	Telephone	202-719-7000	Fax	202-719-7049

Name (Print/Type)	David J. Kulik	Registration No. (Attorney/Agent)	36,576
Signature		Date	Nov. 6, 2001

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Wiley Rein & Fielding LLP

1776 K STREET NW  
WASHINGTON, DC 20006  
PHONE 202.719.7000  
FAX 202.719.7049

Virginia Office  
7925 JONES BRANCH DRIVE  
SUITE 6200  
MCLEAN, VA 22102  
PHONE 703.905.2800  
FAX 703.905.2820

www.wrf.com

November 6, 2001

David J. Kulik  
202.719.7313  
dkulik@wrf.com

**VIA hand delivery**

Assistant Commissioner for Patents  
Washington, DC 20231

Re: New U.S. Non-Provisional Patent Application  
Inventors: Philip C. WARD; Julie A. EMSING; Beth A. RITCHEY;  
and Jorge O. BOUZAS  
Title: Confectionery Products, Low Fat Chocolate and Chocolate-  
Like Products and Methods for Making Them  
Attorney Docket: 78972.0023

Dear Sir:

Please accord the enclosed application a filing date and serial number. Applicants await notification of a time period to file missing parts.

A transmittal form, specification (31 total pages), and Nonpublication Request are filed herewith.

Respectfully submitted,

David J. Kulik  
Reg. No. 36,576



29693

PATENT & TRADEMARK OFFICE

Burden Hour Statement. This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.